IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No.2991 OF 2007

Sirajuddin Ilakedar Khan & Anr ..Applicants.

Vs.

The State of Maharashtra ..Respondent.

Mr Ganesh Gole, Advocate for the applicants.

Ms M. H. Mhatre, A.P.P for the respondent.

CORAM: V.C. DAGA,J.
DATED: 19.9.2007.

P.C.

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused the application and the material available on record.

3. The applicants-original accused arrested in C.R.No. 106 of 2007, registered with Shantinagar Police Station, Bhiwandi, for the offence under Section 326, 506 read with Section 34 of the I.P.C., are seeking bail under Section 439 of the Cr.P.C.

4. The present applicants-accused came to be arrested on 10.4.2007 and since they are in jail. They have moved bail application in Sessions Court which came to be rejected on 16.8.2007.

5. Having heard the rival parties and having seen

the role assigned to the present applicants, I find no reason to allow jail custody of the applicants any further, I am, therefore, inclined to grant bail to the applicants on following terms and conditions.

a] The applicants Sirajuddin Ilakedar Khan and Shafiq Sirajuddin Khan arrested in connection with C.R.No.106 of 2007 registered with Shantinagar Police Station,for the offence punishable under Section 326, 506 read with Section 34 of the I.P.C.shall be enlarged on bail subject to furnishing a personal bond of Rs. 25,000/- each with one or two local sureties each in the like amount.

b] The applicants shall report to the above Police Station once in a week i.e. Monday in between 3.00 to 5.00 p.m. till conclusion of the trial.

c] The order of bail will be given effect only after the applicants furnish to the Investigating Officer the details about their place of residence and address where they propose to stay after they are enlarged on bail.

d] The applicants shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not, in

any manner, tamper with the prosecution evidence.

e] The applicants shall co-operate with the Investigating Officer in investigation.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

7. The applicants are put on notice that on a report by the State in violating any of the conditions by him, mentioned herein, shall result in cancellation of this bail order.

8. Application is disposed of in above terms.

(V.C.DAGA,J)